

AMENDED IN ASSEMBLY APRIL 30, 2001

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1288

Introduced by Assembly Member Reyes

February 23, 2001

An act to amend Section 52052 of, and to add Section 52052.1 to, the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 1288, as amended, Reyes. Education: Academic Performance Index.

Existing law, the Public Schools Accountability Act (Act), requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index (API), to measure the performance of schools, especially the performance of pupils, and to demonstrate comparable achievement in academic improvement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools. The Act requires the Superintendent of Public Instruction and the State Board of Education, based on the API, to adopt expected annual percentage growth targets for all schools based on their API baseline score as measured in July 1999.

This bill would require the annual percentage growth targets to be based on the schools' API baseline score for the previous year.

The Act contains the High Achieving/Improving Schools Program, which establishes a Governor's Performance Awards Program, which,

among, other things, provides monetary and nonmonetary support to schools that meet or exceed API performance growth targets and demonstrate comparable improvement in academic achievement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools. The act also establishes the Immediate Intervention/Underperforming Schools Program.

The Act requires that, beginning in June 2000, the API be used to rank all public schools in the state for the purpose of the High Achieving/Improving Schools Program. Under existing law, only comprehensive high schools, middle schools, and elementary schools that have a population of 100 or more pupils may be included in the API ranking.

This bill would, for purposes of the API ranking, instead provide that schools with 100 or more test scores contributing to the API may be included in the ranking. The bill would provide for schools with 11 or more *valid* test scores to receive or be eligible to receive an API score, as described.

Under existing law, the Superintendent of Public Instruction, with the approval of the State Board of Education, is required to develop an alternative accountability system for schools with fewer than 100 pupils.

The bill would require the Superintendent of Public Instruction to develop an alternative accountability system for schools with fewer than 100 test scores contributing to the schools' API scores and, in doing so, to develop a system whereby comprehensive high schools, middle schools, and elementary schools that have 11 to 99 valid test scores and that serve traditional pupil populations would receive an API that is specially designated to indicate the greater statistical uncertainty of an API based on fewer than 100 test scores. The bill would also require that schools that receive an API with that designation be eligible for participation in the Governor's Performance Awards Program and the Immediate Intervention/Underperforming Schools Program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52052 of the Education Code is
2 amended to read:



52052. (a) (1) By July 1, 1999, the Superintendent of Public Instruction, with approval of the State Board of Education, shall develop an Academic Performance Index (API), to measure the performance of schools, especially the academic performance of pupils, and to demonstrate comparable improvement in academic achievement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools.

(2) For purposes of this section, a numerically significant ethnic or socioeconomically disadvantaged subgroup is a subgroup that constitutes at least 15 percent of a school's total pupil population and consists of at least 30 pupils. An ethnic or socioeconomically disadvantaged subgroup of at least 100 pupils constitutes a numerically significant subgroup, even if the subgroup does not constitute 15 percent of the total enrollment at a school.

(3) The API shall consist of a variety of indicators currently reported to the State Department of Education including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils and certificated school personnel for elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(A) The pupil data collected for the API that comes from the achievement test administered pursuant to Sections 60640 and 60644 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English language learners, socioeconomic status, gender and ethnic group. Only the test scores of pupils who were enrolled in a school district in the prior fiscal year may be included in the test results reported in the API. Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index.

(B) Before including high school graduation rates and attendance rates in the index, the Superintendent of Public Instruction shall determine the extent to which the data is currently reported to the state and the accuracy of the data.

(C) If the Superintendent of Public Instruction determines that accurate data for these indicators is not available, the Superintendent of Public Instruction shall report to the Governor

1 and the Legislature by September 1, 1999, and recommend
2 necessary action to implement an accurate reporting system.

3 (b) Pupil scores from the following tests, when available and
4 when found to be valid and reliable for this purpose, shall be
5 incorporated into the API:

6 (1) The assessment of the applied academic skills matrix test
7 developed pursuant to Section 60604.

8 (2) The nationally normed test as augmented pursuant to
9 paragraph (1) of subdivision (f) of Section 60644.

10 (3) The high school exit examination.

11 (c) Based on the API, the Superintendent of Public Instruction
12 shall develop, and the State Board of Education shall adopt,
13 expected annual percentage growth targets for all schools based on
14 their API baseline score for the previous year. Schools are
15 expected to meet these growth targets through effective allocation
16 of available resources. For schools below the statewide API
17 performance target adopted by the State Board of Education
18 pursuant to subdivision (d), the minimum annual percentage
19 growth target shall be 5 percent of the difference between a
20 school's actual API score and the statewide API performance
21 target, or one API point, whichever is greater. Schools at or above
22 the statewide API performance target shall have, as their growth
23 target, maintenance of their API score at or above the statewide
24 API performance target. However, the State Board of Education
25 may set differential growth targets based on grade level of
26 instruction and may set higher growth targets for the lowest
27 performing schools because they have the greatest room for
28 improvement. To meet its growth target, a school shall
29 demonstrate that the annual growth in its API is equal to or more
30 than its schoolwide annual percentage growth target and that all
31 numerically significant ethnic and socioeconomically
32 disadvantaged subgroups, as defined in subdivision (a) of Section
33 52052, are making comparable improvement.

34 (d) Upon adoption of state performance standards by the State
35 Board of Education, the Superintendent of Public Instruction shall
36 recommend, and the State Board of Education shall adopt, a
37 statewide API performance target that includes consideration of
38 performance standards and represents the proficiency level
39 required to meet the state performance target. When the API is
40 fully developed, schools must, at a minimum, meet their annual

1 API growth targets to be eligible for the Governor's Performance
2 Award Program as set forth in Section 52057. The State Board of
3 Education may establish additional criteria that schools must meet
4 to be eligible for the Governor's Performance Awards Program
5 and other API-related awards programs.

6 (e) Beginning in June 2000, the API shall be used for both of
7 the following:

8 (1) Measuring the progress of schools selected for participation
9 in the Immediate Intervention/Underperforming Schools Program
10 pursuant to Section 52053.

11 (2) Ranking all public schools in the state for the purpose of the
12 High Achieving/Improving Schools Program pursuant to Section
13 52056.

14 (f) A comprehensive high school, middle school, or elementary
15 school with 11 or more *valid* test scores contributing to the API of
16 pupils who were enrolled in a school within the same school
17 district in the prior fiscal year shall receive an API score with an
18 asterisk that indicates a larger statistical uncertainty based on
19 fewer than 100 test scores contributing to the API score. A school
20 under the jurisdiction of a county board of education or a county
21 superintendent of schools, a community day school, or an
22 alternative school, including continuation high schools and
23 independent study schools, may receive an API score if the school
24 has 11 ~~more~~ *or more valid* test scores contributing to the API and
25 the school chooses to receive an API score and agrees to receive
26 an API score for at least three years. Only schools with 100 or more
27 test scores contributing to the API may be included in the API
28 rankings.

29 (g) By July 1, 2000, the Superintendent of Public Instruction,
30 with the approval of the State Board of Education, shall develop
31 an alternative accountability system for schools with fewer than
32 100 test scores contributing to the schools' API scores, and for
33 schools under the jurisdiction of a county board of education or a
34 county superintendent of schools, community day schools, and
35 alternative schools serving high-risk pupils, including
36 continuation high schools and opportunity schools.

37 SEC. 2. Section 52052.1 is added to the Education Code, to
38 read:

39 52052.1. In developing the alternative accountability system
40 pursuant to subdivision (g) of Section 52052, the Superintendent

1 of Public Instruction shall develop a system whereby
2 comprehensive high schools, middle schools, and elementary
3 schools that have 11 to 99 valid test scores and that serve traditional
4 populations receive an API with an asterisk that indicates the larger
5 statistical uncertainty of an API score based on fewer than 100
6 valid test scores. Schools that receive an API with an asterisk shall
7 be eligible for the Governor's Performance Awards Program, as
8 set forth in Section 52057 and for participation in the Immediate
9 Intervention/Underperforming Schools Program, as set forth in
10 Section 52053.

